

or part, until the beginning of the following leave year.

### Subpart K—Emergency Leave Transfer Program

SOURCE: 64 FR 72253, Dec. 27, 1999, unless otherwise noted.

#### § 630.1101 Purpose, applicability, and administration.

(a) *Purpose.* This subpart provides regulations to implement section 6391 of title 5, United States Code, and must be read together with section 6391. Section 6391 of title 5, United States Code, provides that in the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management (OPM) to establish an emergency leave transfer program under which an employee may donate unused annual leave for transfer to employees of his or her agency or to employees in other Executive agencies who are adversely affected by such disaster or emergency.

(b) *Applicability.* This subpart applies to any individual who is defined as an “employee” in 5 U.S.C. 6331(1) and who is employed in an Executive agency.

(c) *Administration.* The head of each agency having employees subject to this subpart is responsible for the proper administration of this subpart. Each Federal agency must establish and administer procedures to permit the voluntary transfer of annual leave consistent with this subpart.

#### § 630.1102 Definitions.

In this subpart—

*Agency* means an “Executive agency,” as defined in 5 U.S.C. 105.

*Disaster or emergency* means a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees (e.g., loss of life or property, serious injury, or mental illness as a result of a direct threat to life or health).

*Emergency leave donor* means a current employee whose voluntary written request for transfer of annual leave to an emergency leave transfer program is

approved by his or her employing agency.

*Emergency leave transfer program* means a program established by OPM that permits Federal employees to transfer their unused annual leave to other Federal employees adversely affected by a disaster or emergency, as declared by the President.

*Emergency leave recipient* means a current employee for whom the employing agency has approved an application to receive annual leave from an emergency leave transfer program.

*Employee* has the meaning given that term in 5 U.S.C. 6331(1).

*Family member* has the meaning given that term in § 630.902.

*Leave year* has the meaning given that term in § 630.201.

*Paid leave status under subchapter I* has the meaning given that term in § 630.902.

#### § 630.1103 Establishment of an emergency leave transfer program.

(a) When directed by the President, OPM will establish an emergency leave transfer program that permits an employee to donate his or her accrued annual leave to employees of the same or other Executive agencies who are adversely affected by such a disaster or emergency.

(b) OPM will notify agencies of the establishment of an emergency leave transfer program for a specific disaster or emergency, as declared by the President. Once notified, each agency affected by the disaster or emergency is authorized to do the following:

(1) Determine whether, and how much, donated annual leave is needed by affected employees;

(2) Approve leave donors and/or leave recipients in their agencies, as appropriate;

(3) Facilitate the distribution of donated annual leave from approved leave donors to approved leave recipients within their agencies; and

(4) Determine the period of time for which donated annual leave may be accepted for distribution to approved leave recipients.

(c) A leave bank established under subchapter IV of chapter 63 of title 5, United States Code, and subpart J of part 630 may, with the concurrence of